

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 46

March 12, 2013

SUMMARY OF BILL: Beginning July 1, 2013, prohibits public postsecondary institutions from employing a diversity officer or assigning the duties of a diversity officer to any employee. Defines a diversity officer as an employee whose primary duties include: promoting diversity, equality and inclusion at the institution; assuring implementation of policies with respect to and monitoring compliance with federal and state statutes addressing diversity and equality and institutional diversity policies; and addressing complaints of discrimination and violations of federal or state law or institutional policies.

ESTIMATED FISCAL IMPACT:

Decrease State Expenditures – \$992,800

Other Fiscal Impact – The Tennessee Board of Regents and University of Tennessee have indicated a potential loss of federal funding estimated to be up to \$300,000,000. Any loss of federal funding would be dependent upon the action of the federal government.

Assumptions:

- According to TBR, six positions will be eliminated at TBR universities. TBR estimates that salary and benefits of these positions total \$595,965.
- Community college positions will not be eliminated as employees at these campuses have other primary duties.
- According to UT, four positions will be eliminated. UT estimates that salary and benefits of these positions total \$396,800.
- The total decrease in state expenditures is estimated to be \$992,765 (\$595,965 + \$396,800).
- According to TBR and UT, the federal Office of Civil Rights within the U.S. Department of Education requires each campus to have a designated Title IX coordinator. Failure to employ such coordinators would be considered a violation of this policy and may result in penalties from the federal government, including a loss in federal funding. UT and TBR have estimated a potential loss of federal revenue of approximately \$300,000,000.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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